

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER**

IN RE CHARGES OF ADRIAN VAN VALLO,	)	
UNITED STATES OF AMERICA,	)	
Complainant,	)	8 U.S.C. § 1324b Proceeding
v.	)	OCAHO Case No. 97B00106
SCHMITZ CORPORATION, D/B/A	)	Judge Robert L. Barton, Jr.
LITTLE OAK GERMAN RESTAURANT,	)	
Respondent.	)	
	)	

**ORDER GRANTING COMPLAINANT'S MOTION  
AND DISMISSING PROCEEDING**

(October 23, 1997)

The Complainant United States of America has moved to dismiss this action, because the parties have entered into a Settlement Agreement which disposes of all the issues in this case and have agreed to the dismissal of the action. Complainant has attached the Settlement Agreement and General Release to the motion to dismiss.

The OCAHO Rules of Practice and Procedure provide that when parties or their authorized representatives enter into a proposed settlement agreement, they may submit to the Judge either a proposed agreement containing consent findings and a proposed decision and order or notify the Judge that the parties have reached a full settlement and have agreed to the dismissal of the action. 28 C.F.R. § 68.14(a).

In this case, the parties have not submitted consent findings. However, the parties have reached a full settlement. Therefore, pursuant to 28 C.F.R. § 68.14(a)(2), the Motion to Dismiss is granted, and this case is dismissed with prejudice. Further, the hearing scheduled for December 3-4, 1997, in Ft. Meyers, Florida, is hereby canceled.

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**ROBERT L. BARTON, JR.**  
**ADMINISTRATIVE LAW JUDGE**

## CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of October, 1997, I have served the foregoing Order Granting Complainant's Motion and Dismissing Proceeding on the following persons at the addresses shown, by first class mail, unless otherwise noted:

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